

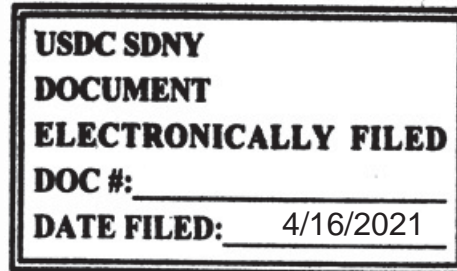
SHEARER PC

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April 16, 2021

VIA ECF FILING

The Robert W. Lehrburger
United States Magistrate Judge
United States District Court
Southern District of New York
500 Pearl Street, Room 18D
New York, New York 10007



Re: Cuevas v. Delta Air Lines, Inc.
21-cv-01997 (LAK/RWL)

Dear Judge Lehrburger:

The undersigned represents Defendant Delta Air Lines, Inc. in the referenced matter. I write to request an adjournment of the Initial Conference set for April 26, 2021, as I will be returning from a trip out of state that day and unavailable due to travel. This is the first request for an adjournment of the Initial Conference. Plaintiff's counsel is aware of this letter application and consents.

This case involves a claimed accident that occurred on an aircraft during an October 12, 2018 international flight. Plaintiff's remedies are limited to those available under the Montreal Convention/Warsaw treaty, which has an applicable two-year statute of limitations. As the action was commenced more than two years after the flight, Delta intends to move for judgment on the pleadings pursuant to Fed. R. Civ. P. 12(c). That fact may affect any new date for the Initial Conference, assuming the Court is inclined to grant this request for an adjournment. Plaintiff's counsel is aware of Delta's intent to move for the aforementioned relief.

Very truly yours,


Douglas Shearer

DS/av

cc: Beth J. Schlossman, Esq.
Law Offices of Beth J. Schlossman
26 Court Street, Suite 2505
Brooklyn, New York 11242
(718) 522-5000
Attorney for Plaintiff

The Initial Pretrial Conference currently set for April 26, 2021 at 11:30 a.m. before Magistrate Judge Robert W. Lehrburger is hereby rescheduled to May 10, 2021 at 11:30 a.m.

SO ORDERED:
4/16/2021



HON. ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE